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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 LUCAS UYENO,

10 Plaintiff,

11 v.

12 JEANNE YOUNGQUIST, *et al.*,

13 Defendants.

Case No. C18-1091-JCC-JPD

REPORT AND RECOMMENDATION

14 Plaintiff, a former inmate at the Skagit County Justice Center in Mt. Vernon,
15 Washington, is proceeding *pro se* and *in forma pauperis* in this 42 U.S.C. § 1983 civil rights
16 action. On October 16, 2018, the Court declined to serve plaintiff's amended complaint due to
17 numerous deficiencies. Dkt. 12. The Court also granted plaintiff leave to file a second
18 amended complaint within thirty (30) days. *Id.* To date, however, plaintiff has failed to submit
19 a second amended complaint or otherwise respond to the Court's Order.


20 Accordingly, the Court recommends that this § 1983 action be DISMISSED without
21 prejudice. A proposed order accompanies this Report and Recommendation. The Clerk is
22 directed to send copies of this Order to the plaintiff and to the Honorable James P. Donohue.

23 Objections to this Report and Recommendation, if any, should be filed with the Clerk
24 and served upon all parties to this suit by no later than **January 28, 2019**. Failure to file
25 objections within the specified time may affect your right to appeal. Objections should be
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1 noted for consideration on the District Judge's motion calendar for the third Friday after they
2 are filed. Responses to objections may be filed within **fourteen (14)** days after service of
3 objections. If no timely objections are filed, the matter will be ready for consideration by the
4 District Judge on **February 1, 2019**.

5 This Report and Recommendation is not an appealable order. Thus, a notice of appeal
6 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
7 assigned District Judge acts on this Report and Recommendation.

8 DATED this 8th day of January, 2019.

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12 JAMES P. DONOHUE
13 United States Magistrate Judge
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